

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DOC#: _____
DATE FILED: 3/21/2022

-----x

Docket# 20-cv-7800
(ALC) (RWL)

TAKAYO MATSUI, as mother and natural guardian of K.M.,
a minor

Plaintiff,

-against-

INFANT COMPROMISE
ORDER

THE UNITED STATES OF AMERICA,

Defendant.

-----x

Upon reading and filing the Petition of TAKAYO MATSUI, mother and natural guardian of the infant plaintiff, K.M., sworn to the 23rd day of February, 2022 the Consent of JANKEN SABLANDE, father and natural guardian of the infant K.M., duly acknowledged the 23rd day of February, 2022 the Affirmation of CHRISTOPHER J. DONADIO, ESQ., dated February 23, 2022, and upon all of the pleadings and proceedings heretofore had herein;

And it appearing that the infant plaintiff was born on September 28, 2018, and the mother and natural guardian and the infant plaintiff and their attorney having appeared before this Court on _____2022, and it appearing that the best interests of the infant plaintiff will be served;

NOW, on motion of GAIR, GAIR, CONASON, RUBINOWITZ, BLOOM, HERSHENHORN, STEIGMAN & MACKAUF, attorneys for the plaintiff herein, it is hereby

ORDERED that TAKAYO MATSUI, mother and natural guardian of K.M., an infant, be and she hereby is authorized, empowered and directed to settle and compromise the cause of action for personal injuries of the infant K.M. for the sum of \$350,000.00; and it is further

ORDERED that the cause of action for medical expenses on behalf of the mother and natural guardian, TAKAYO MATSUI, is hereby waived; and it is further

ORDERED, that consistent with the terms of paragraph 4 of the parties' Stipulation for Compromise Settlement and Release of Claims, the counsel for the UNITED STATES OF AMERICA will send a request to the appropriate agency official or component requesting that the Settlement Amount be send by electronic fund transfer payable to GAIR, GAIR, CONASON, RUBINOWITZ, BLOOM, HERSHENHORN, STEIGMAN & MACKAUF, attorneys for plaintiff ("Gair Gair"). Gair, Gair shall distribute the Settlement Amount to Plaintiff as directed in the Infant Compromise Order entered by this Court, and after all liens have been satisfied or resolved, as specified in paragraph 6.c; and it is further

ORDERED that the Settlement Amount in the sum of \$350,000.00 shall be distributed as follows:

GAIR, GAIR, CONASON, RUBINOWITZ, BLOOM HERSHENHORN, STEIGMAN & MACKAUF Fees as Attorneys	\$ 87,500.00
GAIR, GAIR, CONASON, RUBINOWITZ, BLOOM HERSHENHORN, STIEGMAN & MACKAUF Disbursements	\$ 2,500.00
NEW YORK STATE DEPARTMENT OF HEALTH Medicaid Lien	\$ 8,171.20
TAKAYO MATSUI, mother and natural guardian of K.M. an infant, jointly with an officer of CITIBANK located at 205 East 42 nd Street, New York, NY 10017, to be placed in a money market or Certificate of Deposit at the highest rate of interest available, not to be withdrawn until the infant reaches the age of 18 years without further Order of the Court	\$150,000.00

TAKAYO MATSUI, mother and natural guardian of K.M. an infant, jointly with an officer of BANK OF AMERICA, located at 254 West 57th Street, New York, NY 10107, to be placed in a money market or Certificate of Deposit at the highest rate of interest available, not to be withdrawn until the infant reaches the age of 18 years without further Order of the Court

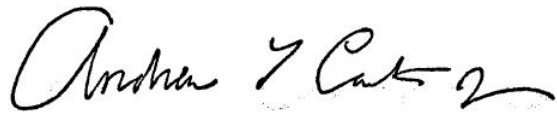
\$101,828,25

and it is further

ORDERED that upon reaching the age of 18 years, that K.M., upon presentation of a certified birth certificate, be permitted to withdraw said funds, and that at such time, if any funds are in certificates of deposit, there shall be no penalty for early withdrawal; and it is further

ORDERED, that conditioned upon making the payments directed in compliance with this Order, the said defendant, THE UNITED STATES OF AMERICA, is hereby discharged from any and all liability and responsibility as to the causes of action for which suit was brought, and that the said TAKAYO MATSUI be, and she hereby is authorized and empowered to execute and deliver general releases and any other papers necessary to complete the collection and distribution of the aforesaid monies; and it is further

ORDERED, that the filing of a bond be dispensed with.



U.S.D.C.J.

March 21, 2022